

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Blake Wingate

08 cv 217 (ARR)

Amendment

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

under the  
Civil Rights Act, 42 U.S.C. § 1983

v.

Defendant No. 1 Police Officer /detective Patrick Theodore

Defendant No. 2 Detective Vincent Hoosack

Defendant No. 3 Sargeant Scott Fields

Defendant No. 4 Detective Forgione

Defendant No. 5 NEW YORK CITY POLICE DEPARTMENT

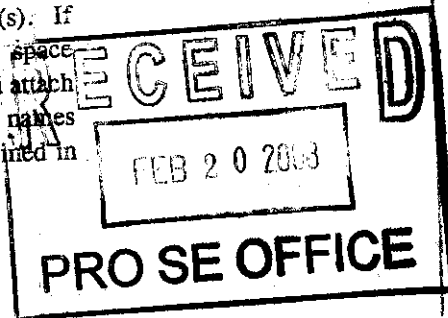
NARCOTICS DIVISION

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. No addresses should be included here.)

Jury Trial: Yes ☐ No ☐  
(check one)

AMENDMENT / ADDENDUM

( JURY TRIAL DEMANDED )



I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name Blake Wingate

ID # 441 07 04223

Current Institution 18 18 Hazen Street

Address A.M.K.C. FACILITY ( NOTE ADDRESS CHANGE )

EAST ELMHURST NEW YORK 11370

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Patrick Theodore Shield # \_\_\_\_\_  
 Where Currently Employed 113th preceint  
 Address 167 - 02 Baisley blvd  
Jamaica 11434

Defendant No. 2 Name Vincent Hoosack Shield # \_\_\_\_\_  
 Where Currently Employed 113th preceint  
 Address 167 - 02 Baisley blvd  
Jamaica N.Y. 11434

Defendant No. 3 Name Scott Fields Shield # \_\_\_\_\_  
 Where Currently Employed 113th preceint  
 Address 167 - 02 Baisley Blvd  
Jamaica N.Y. 11434

Defendant No. 4 Name Forgione Shield # \_\_\_\_\_  
 Where Currently Employed 167 02 Baisley Blvd  
 Address 167 - 02 Baisley Blvd  
Jamaica N.Y. 11434

Defendant No. 5 Name N.Y.C. POLICE DEPARTMENT Shield # \_\_\_\_\_  
 Where Currently Employed 113th preceint ONE POLICE PLAZA  
 Address NARCOTICS DIVISION ONE POLICE PLAZA  
N.Y.N.Y. 10038

## II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. In what institution did the events giving rise to your claim(s) occur? THIS IS NOT A Jail claim. It occurred on 147th street and 123rd avenue. in Queens county.
- B. Where in the institution did the events giving rise to your claim(s) occur? Not applicable
- C. What date and approximate time did the events giving rise to your claim(s) occur? April 04 2007 between 430 and 6 p.m.

DISTRICT ATTORNEY OFFICE HAVE BEEN FILING FALSE AND MISLEADING REPORTS. This policy has been extreme since 1996 when the A.S.C.L.D. was filed....

What happened to you?

D. Facts: While riding my bicycle Patrick Theodore and Sargeant Scott Fields tried to run me off of the bike. They then chased me and when I hit the ground face down they started punching and kicking me. The deponent was laying face down. The officers did handcuff the deponent and kept hitting him in the head back and facial area see photo...

Who did what?

Then Officer Forgione came and joined in with them. Vincent Hoo-sack did nothing to stop them from beating the deponent. The sargeant broke his hand (scott fields.) punching the deponent in the head.

Was anyone else involved?

The narcotics division uses forced arrests to boost officers to detective status. It is the quickest way to become a detective or a superior officer. The narcotics officers file false arrest reports as a common trend. This policy has been going on for years and no one deals with it. The deponent was also sprayed with mace while he was handcuffed laying on the floor. The use of mace on a captured handcuffed prisoner is forbidden. However this has also happened to other detainees, such as (Martin England) AND WE ARE Queens Residents. see annexed EXHIBIT... James Blair Falsifying police reports is deemed as T E S T I L Y I N G and

Who else saw what happened?

was identified as such in the dirty 30 scandale.. So far a witness by the name of Marquis Brooks has come forward.

### III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Black outs, headaches back and face pain. The hospital ordered cat scans but has not enforced the issue. Plus the deponents right foot was broken. Left side of face swollen. The black outs still come and go. Plus I fear coming home only to be harrassed further. Note sargeant Scott Fields is a defendant in another claim under 05cv 1872. His assault is deemed tampering with a federal witness. The officers reports declare the deponent made no assaultive behavior in arrest number I was beat for evidence...

### IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act of 1995, 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes \_\_\_ No XX

E. If your answer to A is YES, describe each lawsuit in questions 1 through 7 on the next page. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to this previous lawsuit:  
Plaintiff Blake Wingate  
Defendants qns d.a./ n.y.c. police department/N.Y.C.D.O.C.
2. Court (if federal court, name the district; if state court, name the county) SOUTHERN DISTRICT COURT
3. Docket or Index number 05 cv 1872
4. Name of Judge assigned to your case Debra C. Freeman
5. Approximate date of filing lawsuit 2005 november
6. Is the case still pending? Yes xx No       
If NO, give the approximate date of disposition
7. What was the result of the case? (for example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) still pending as the appeal of the conviction is still pending in the 2nd dept. for over 2 years. an order by Appellate div was issued to cause representation of the appeal properly.

On  
other  
claims

- D. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?  
Yes xx No

E. If your answer to D is YES, describe each lawsuit in questions 1 through 7 on the next page. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.) they were filed for eastern district relief. they were not on file as of the date of the original filing of this claim...

1. Parties to this previous lawsuit:  
Plaintiff Blake Wingate  
Defendants wardens of N.Y.C.D.O.C., COMMISSIONER HORN
2. Court (if federal court, name the district; if state court, name the county) SOUTHERN DISTRICT
3. Docket or Index number 07 cv 8679
4. Name of Judge assigned to your case (RMB)
5. Approximate date of filing lawsuit: AUGUST 2007
6. Is the case still pending? Yes xxx No       
If NO, give the approximate date of disposition

7. What was the result of the case? (for example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) corporation counsel asked for a conference based upon failure to exhaust the grievance mechanism. But it was a medical emergency and the dreponent used all of the grievance procedures in the jail medical grievance procedure is a procedure with less steps to complete and it worked I was granted heat sensitive housing..

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s). NO

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes XXX No      Do Not Know     

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes      No      Do Not Know XXX

If YES, which claim(s)?     

D. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose not cover some of your claim(s)?

Yes      No      Do Not Know XXX

If YES, which claim(s)?     

E. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes      No      NOT APPLICABLE

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes      No      NOT APPLICABLE

F. If you did file a grievance, about the events described in this complaint, where did you file the grievance? C.C.R.B. and Internal affairs departments

and Public advocate.

1. Which claim(s) in this complaint did you grieve? The assault by the police officers ,sargeants and detectives.

2. What was the result, if any? still pending, some of the complaint substantiated, exonerated , etc..

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. The police department and the queens supreme court are still addressing the issue.Ia.b. handed downthe complaint to C.C.R.B..

They closed the case before the witness Marquis Brook -s- was contacted. Then reopened and closed again. I.A.B. asked the deponent to accept a plea on the case. I cannot because I was falsely arrested and charged with possession of controlled substance in February of 2007, and now again in April 2007. The lab report in feb. was non existant. But the officer in that arrest falsely testified , to parole ...

T E S T I L Y I N G is common policy in Narcotics division of POLICE PLAZA . IN ALL preceints...



C. If you did not file a grievance, did you inform any officials of your claim(s)?

Yes xx No       

1. If YES, whom did you inform and when did you inform them? Police  
headquarters chief Raymond Kelly. Internal affairs

Public advocate, Inspector general office. Attorney  
general office.

2. If NO, why not?       

I Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. The deponent has filed the complaints of which are now  
in the possession of the POLICE DEPARTMENT AND C.C.R.B. THE  
Queens district attorney also has copies of the reports, but  
they condone the officers actions including the cover up .

I fear for my life and thus refused to be released on a plea  
for parole and the arrest case. NOTE the district attorney  
of queens is also in the 05cv 1872 claim for filing false reports also

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

#### V. Relief:

State what you want the court to do for you. I need an immediate order of protection.  
damages for 100,000.000 dollars. However I continue to have  
blackouts. and what ever is deemed just and proper and equitable  
I request a jury trial. To apply injunctions as necessary.  
To develop an expungement procedure in the COURT OF ADMINISTRATION  
AS THERE are no means of expungement. False reports are full  
in my record and they need to be erased ..To appoint a federal  
monitor to the N.Y.C. POLICE DEPARTMENT NARCOTICS DIVISION.

\*\*\*\*\*  
This amendment is based upon newly discovered information which was  
obtained by the petitioning plaintiff after he filed the original claim  
and before the Court transferred the case to the Eastern District.  
The plaintiff Blake Wingate sought to notify the court of the additional  
facts and was notified of the transfer. Please accept as an amendment or  
an addendum. \*\*\*\*\* I also ask the  
legal fees or lawyers be employed for expenses and time..Intentional

VI. Previous lawsuits: infliction of emotional distress!!!

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes        No xxx ( only the false reports...) but it was a  
case from all of my past...

On  
these  
claims

THIS AMENDMENT WAS MADE BECAUSE I found out the officer whom  
broke his hand was sargeant fields by c.c.r.b. reports.  
and THE DEONENT HAD TO ADD THE NAMES OF THE ADDITIONAL OFFICERS  
AND CLARIFY THE FACT THAT THE FALSE ARRESTS ARE A POLICY....

Signed this 30 day of January, 2008 I declare under penalty of perjury that the foregoing is  
true and correct.

Signature of Plaintiff

Inmate Number

Mailing address

Blake Wingate

441 07 04223

18 18 Hazen Street  
East Elmhurst New York  
11370

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide  
their inmate numbers and addresses.

I declare under penalty of perjury that on this 30 day of January 2008, I will deliver this  
complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the  
Southern District of New York.

Signature of Plaintiff:

Blake Wingate

Blake Wingate 4410704223

18 18 Hazen Street

East Elmhurst New York 11370

# CLAIM AGAINST THE CITY OF NEW YORK

## PERSONAL INJURY

This claim must be filed either in person or by registered or certified mail within 90 days from the date of occurrence at the Office of the Comptroller, Municipal Building, Room 1225 1 Centre Street, New York, N.Y. 10007.

To The Comptroller of The City of New York: I herewith present my claim against the City of New York.

NAME OF LAST CLAIMANT: England Martin

First Age Date of Birth: 09/07/63 If Married, Spouse's Name: NONE

Address: 18-18 Hazen St. East Elmhurst, N.Y. 11370

City (Borough) State Zip Home Phone

ACCIDENT INFORMATION

Date Of Accident: 3/1/07 Exact Location Of Accident: In the vicinity of 147-14 Archer Ave. Jamaica, NY.

Time: 2:00 AM ☐ PM ☒ Describe How Accident Happened: The Police Officer's beat me up when I was handcuffed on the ground, they also sprayed me with mace in my eye, and down my throat, stomped, and hit me in my head with their wicketlike

Was There a Witness to Accident? ☒ Yes ☐ No If Yes, Give Name, LAST FIRST

Address & Phone No. of Witness: AMKC (C 95) 18-18 HAZEN Street East Elmhurst, NY STATE ZIP PHONE

Were Police Present ☒ Yes ☐ No Name Of Police: Leroy Ernest BADGE # 05056 PRECINCT 103rd pt.

MEDICAL INFORMATION

Where Was First Medical Treatment Received? ELMHURST GENERAL HOSPITAL Date Of First Treatment: 3/1/07 Month Day Year

Was Claimant Taken to Hospital By Ambulance? ☒ Yes ☐ No Was Claimant Treated In Emergency Room? ☒ Yes ☐ No Was Claimant Admitted To Hospital? ☐ Yes ☐ No If Yes, Give Dates From To

Name of Doctor: NAME NOT KNOWN Address: ELMHURST GENERAL HOSPITAL City (Borough) State Zip

Describe Your Injury: SEVERE HEAD TRAUMA, PARTIAL PARALYSIS TO UPPER RIGHT EXTREMITY

In Detail: POST TRAUMATIC EPISODES

EMPLOYMENT INFORMATION

Indicate Status At Time of accident: ☐ Employed ☐ Housewife ☒ Unemployed ☐ Retired If Employed: Weekly Salary \$                      Lost (If any) \$                      Number of Working Days                     

Employer's Name:                      Social Security #:                      Amount Of Pay Lost (If Any) \$                     

Employer's Address:                      City (Borough) State Zip Phone:                     

See Attach

*Beatty and Sprayed with Mace*



## DOCTOR AND HOSPITAL EXPENSES

Amount of  
Doctor Bills  
If Any \$ \_\_\_\_\_Are Bills  
Submitted ☐ Yes  
With Claim ☐ NoAmount of Hospital  
Bills If Any  
\$ \_\_\_\_\_Are Bills  
Submitted ☐ Yes  
With Claim ☐ No

## COMPLETE THIS SECTION IF ACCIDENT INVOLVED NYC OWNED VEHICLE

Was Claimant the  
Owner of Vehicle ☐ Yes  
Involved in Collision? ☐ NoIf No:  
Owner's Name

Last

First

Owner's  
Address

Number &amp; Street

City (Borough)

State

Zip

Was Claimant  
the Driver ☐ Yes  
of the Vehicle? ☐ NoWas Claimant ☐ Yes  
a Passenger? ☐ No

## NYC VEHICLE AND DRIVER INFORMATION

Name of  
NYC Driver

Last

First

NYC License  
Plate  
Number

Employed By (Provide Name of City Agency)

Department

TOTAL AMOUNT  
CLAIMED AS  
DAMAGES FOR \$ 20,000,000  
ACCIDENTDate May 4th 2007Signature of  
ClaimantX Martin EnglandSTATE OF NEW YORK  
COUNTY OF BRONXI, Martin England, being duly sworn deposes and says that I have read the foregoing NOTICE OF CLAIM and know the contents thereof; that same is true to the best of my own knowledge, except as to the matters there stated to be alleged upon information and belief, and as to those matters, I believe them to be true.Signature of  
Claimant XMartin EnglandIf Claim Is Not Settled, You Must Start Legal Action Within One  
Year and 90 Days From Date of Accident.

NOTARY PUBLIC STAMP

Sworn to before me this 4th day of May, 2007

Signature of Notary Public

[Signature]  
Faisal O. Lawal  
Notary Public, State of New York  
No. 02LA6135503Qualified in Queens County  
My Commission Expires October 24, 2009

Martin England # 441-07-02644  
18-18 Hazen Street (C-95)  
East Elmhurst, New York 11370

Affidavit of Facts  
Additional Complaint

On the date of 3/1/07 at 2:00 pm I Martin England was in the vicinity of 147-14 Archer Ave. Jamaica, New York. 11435, was thrown to the ground, and handcuffed then beaten by several Police Officer's, I was stomped on, also hit in the back of my head with a blunt instrument at the same time I was being sprayed with mace all in my face, my eyes, also in my mouth, and down my throat to the point where I coulding bearth!, I throuht, I was going to die out there on the street, by the hand's of the Police!, since this beating took places I've had serious flasbacks I'am also suffering from Numbness, Tingling, and Weakness in my arm, I'm having difficulty waking from sleeping, with increased confusion! which accored from Head Trauma, in which I suffered from this beaten.. I'am also seeing a Physic for Acute Stress Disorder, I've been also diagnosit with Post Tarumatic Stress Disorder, in which I'am taking Mental Health Medication for these Disorder's, that I'am now suffering from!....

To name the Officer's in this Complaint; Police Officer: Leroy Ernest, Badge #05056, and Jonh Doe's of the 103rd Pct. those Officer's of that team, that took part in beaten me, on that day is to be named!.....

Date 5-10-07

Signature x

Martin England

Sworn to before me this 10<sup>th</sup> day of MAY 2007  
Signature of Notary Public [Signature]

Hamilton King  
Notary Public, State of New York  
No. 01K05080975  
Qualified in Kings County  
Commission Expires June 30, 2007



THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER  
1 CENTRE STREET, NEW YORK, N.Y. 10007-2341

WILLIAM C. THOMPSON, JR.  
COMPTROLLER

015-151

Date: 5/31/2007  
RE: Acknowledgment - Tort  
MARTIN ENGLAND #441-07-02644  
Claim number: 2007PI014996

MARTIN ENGLAND #441-07-02644  
18-18 HAQZEN STREET  
EAST ELMHURST, NY 11370

Receipt is hereby acknowledged of your claim. Please refer to the above claim number on any correspondence or inquiry you may have with this office.

Your claim is currently under investigation. Please be aware of the fact that we receive thousands of claims each year. Once we have completed our investigation, we may be in a position to make a settlement offer. It is also possible, however, that we will not. If we are unable for any reason to settle or resolve your claim and you wish to pursue your claim, you may bring a lawsuit against the City, if it is **started within one year ninety days from the date of the occurrence.**

Please note that property damage claims can take several months to investigate because, as part of our investigation, we must obtain necessary reports. We would appreciate it if you take this into account before calling us regarding the status of your claim. If, however, you have any other questions regarding your claim, please feel free to contact us.

Michael Aaronson  
Bureau Chief  
Bureau of Law and Adjustment

Martin England #441-07-02644  
18-18 Hazen Street  
East Elmhurst, NY 11370  
Nov. 24, 2007

Civilian Complaint Review Board  
40 Rector Street, 2nd. Flr.  
New York, NY 10006

Re: Excessive and Unnecessary Force

To Whom It May Concern:

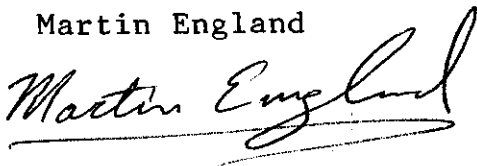
On or about March 1st, 2007, I was approached from behind by Police Officer Ernest Leroy-Shield #5056-Narcotic Borough Queens Squad and other officers to be named John Doe#1 through John Doe #4, working out of the 103rd Precinct and assaulted by these individuals named above.

In the vicinity of 147-14 Archer Ave. Jamaica, NY said police officers did approach me from behind without identifying themselves and commenced to throw me to the ground and spray me with mace in my eyes and stomped and hit me in my head with their Walkie Talkie. I was handcuffed while laying on the ground these same officers continue to kick and mace me.

Please accept this letter as an officially Complaint against the Police officers names above.

Yours,

Martin England

A handwritten signature in cursive script that reads "Martin England". The signature is written in dark ink and is positioned below the printed name. A horizontal line is drawn under the signature.

BY H A N D

Blake Wingate  
441 07 04223  
18 18 Hazen Street  
East Elmhurst New York 11370

*File*

Honorable Magistrate Debra C. Freeman  
United States District Court  
Southern District Court of New York  
500 Pearl Street  
NEW YORK NEW YORK 10007

WINGATE V GIVES ET.AL.  
Index No. 05civ 1872

Honorable Justice Freeman,

I am Blake Wingate the plaintiff in the aforementioned action . I received a response to the request for an ORDER OF PROTECTION FROM A DEFENDANT IN OUR CLAIM OF WHICH IS a police sargeant in the 113th preceint named Saegeant Fields.

Sargeant Fields orchestrated an attack upon the deponent in which I am now receiving Blackouts. The tangential connection of which the corporation relates is a direct connection to the plaintiff Blake Wingate. He was assaulted directly and not (tangentially) by sargeant fields and his friends. Sargeant Fields initiated the assault and the arrest , but did not file any of the police reports.

He passed the case , violating POLICE PATROL GUIDE RULE 208-20 . \*\*\*

ON page 443 of the 2007 Police Patrol Guide of New York. The fact remains is that SARGEANT Fields conduct was totally unprofessional and the C.C.R.B. has already been cited and made publically known for excusing abusive conduct by N.Y.P.D... see news paper article of the Daily News by Kiersten Davis From Aug to Oct 07 This information is also on-line.



Pursuant to 18 U.S.C.S. 3144, Sargeant Fields is a hostile material witness , of which has been cited for previous violations for his illegal searches and arrests. The fact that we are in a FEDERAL Prosecution for another illegal arrest and then he orchestrates a second illegal arrest and assault against this deponent causing the deponent to be incarcerated for a felony and misdemeanor, is a question of his actual state of mind. The remaining factor is the deponent Blake Wingate refused to be released because he would have been released into his (sgt. fields) precinct the 113th... The assault on the deponent was a mystery until he received the actual C.C.R.B. reports as he does not recall seeing Sgt. Fields. His identification remained a mystery as far as facial because he never had a meeting with the deponent as he was supposed to in the investigation of the prior case, and my memory is very bad based upon the beating.

The deponent Blake Wingate was scheduled to go home in July of 2007. But not knowing whom caused the assault caused him; he refuse the release from Parole and the Case itself in order to be protected from further abuse. The felony charges were dismissed in less than 1 month. Thus an A misdemeanor only carries a 1 year sentence. The 1 year is almost up and He will have to leave jail soon . The citation of C.P.L. of N.Y. sec. 530.13 People v Debo 234 a.d.2d 944 does not override the fact that we are also in a Federal litigation of which the civil crimes are also federal crimes. For instance , false arrest and incarceration leading to peonage violations is cause for 18 U.S.C.S. 1581-1595, of which no judge or party is immune from prosecution.

The civil procedure for the same incident is listed under 42 U.S.C.S. 1994.. The crime of peonage was completed as the said plaintiff Blake Wingate was convicted illegally for a crime of which was committed by another person , known to the prosecutor and the arresting officers and they still persecuted the defending petitioner . THE APPEAL IS STILL ILLEGALLY PENDING PAST THE 2 YEAR LIMIT. 13th amendment U.S.C... Santiago v Philadelphia 435 F.SUPP. 136.. and there has always been concurrent jurisdiction of State and FEDERAL COURTS in prosecutions of this violation of this section UNITED STATES V Mc Clellan 127 F 971....

The deponent respectfully stated he is an intimidated witness in all of his cases and not only his criminal trial , and the source of intimidation is a Police Sargeant with a gun and a terror team of officers whom also have guns and they already beat the deponent to the point that the sargeant broke his hand while beating the defendant.

The claim of the issue of orders of protection only for people that may be subjected to danger , bodily harm or annoyance from another is completely correct and I suffer from it and have been suffering from the said act since 2003... People v SMITH 4 Misc 3d 909 , 782 NYS2d 596.

The credible reason for the assault is for the deponent to be silent against SGT Fields or more will come. I recently was released in Feb. of 2007 for another unlawful arrest for possession of drugs in the 113th preceint and there were no lab reports. but I had to take disorderly conduct in order to be released. I am tired of giving out convictions for non existant crimes.

18U.S.C.S. 1513 specifically details the illegal conduct of sgt. fields and for the corporation counsel to omit this fact shows extreme prejudice to the health and well being of the deponent and may constitute a conspiracy for committing a hate crime..

I Blake Wingate hereby request a hearing with Sargeant Fields to determine the conduct expressed herein and for such other and further relief as deemed to be just and proper.

Wahad v F.B.I. \*\*\* 131 FRD 60 aff 132 FRD 17 ... et.al...

  
Blake Wingate

SWORN TO BEFORE ME THIS 26th DAY  
OF January 2008

  
Notary Public

Fatal O. Lawal  
Notary Public, State of New York  
No. 02LA6155823  
Qualified in Queens County  
My Commission Expires October 24, 2009

AFFIDAVIT OF SERVICE  
BY UNITED STATES MAIL

STATE OF NEW YORK  
COUNTY OF BRONX

Blake Wingate duly sworn deposes and says under the penalty of perjury in the United States that he has placed and submitted the following papers to the united states court and the aforementioned people listed herein as the deponent rebuts the dismissal of his request for an ORDER OF PROTECTION.

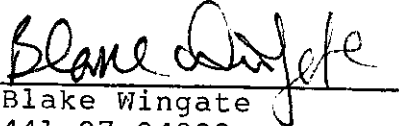
That the deponent mails said information from the 18 18 Hazen street location in East Elmhurst New York 11370 , known as the A.M. K.C. facility on rikers island.

That said property will be mailed on this 28 day of January 2008 by placing said mail in the mailroom located in the main corridor of determined building.

SOUTHERN DISTRICT OF NEW YORK  
500 Pearl Street  
NEW YORK NEW YORK 10007  
PRO-SE CLERK

CHRISTOPHER L. VanDe Water  
Attorney General  
120 Broadway 24th floor  
NEW YORK NEW YORK 10271

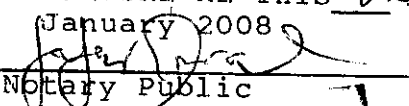
SOUTHERN DISTRICT COURT  
Magistrate Judge Debra C. Freeman  
500 Pearl Street  
NEW YORK NEW YORK 10007

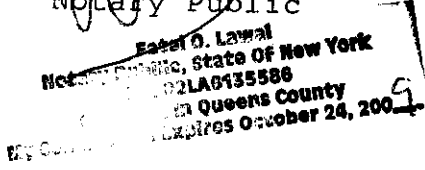
  
Blake Wingate

441 07 04223  
18 18 Hazen Street  
East Elmhurst New York 11370

NEW YORK CITY LAW DEPARTMENT  
100 Church Street  
NEW YORK NEW YORK 10007  
Chevon Andre Brooks (CB1616)

SWORN TO BEFORE ME THIS 26th  
DAY OF January 2008

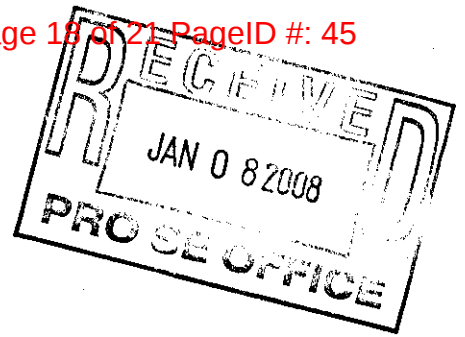
  
Notary Public

  
Ester D. Lawal  
Notary Public, State of New York  
License No. 02LA0135586  
Queens County  
Expires October 24, 2009

*Wingate*  
Blake Wingate  
441 07 04223-  
11 11 Hazen Street  
East Elmhurst New York 11370

JANUARY 03, 2008

UNITED STATES CLERK OF THE COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN NEW YORK 11201  
Honorable Pro-se clerk



Please take notice the deponent BLake Wingate filed a claim under 1983 approximately 4 months ago at this facility. The claim is against POLICE OFFICER Theodore Patrick and three other officer (s) whom assaulted the deponent. The deponent has received the C.C.R.B. REPORTS AND NOW HAS THE FULL EXPLANATION AND INJURY OF all of the participants as well as the correct person that has the injury.

Wherefore the deponent asks for a phone conferance or permission to amend the complaint.

The complaint has not received a docket number since it has been filed and the deponent is seeking to prevent congestion and or misappropriation..

Please notify the deponent of any changes ...the status of the filed complaint and any other information the deponent needs to follow up on the issue. A copy is being forwarded to the SOOUTHERN DISTRICT AS WELL BECAUSE THE DEPONENT CANNOT RECALL WHICH COURT HE FILED IT IN. I have been suffering from BLACKOUTS AND AWAIT CATSCANS TO DETERMINE THE DAMAGE TO MY BRAIN...

C.C. SOUTHERN DISTRICT COURT  
PRO SE CLERK INTAKE OFFICE  
500 pearl n.y.n.y. 10007

*Blake Wingate*





WILLIAM C. THOMPSON, JR.  
COMPTROLLER

015-158

Date: 12/11/2007

RE: Disallowance - Insuff. Proof

JAMES BLAIR 2410611814

Claim number: 2007PI032311

Agency: DEPT. OF CORRECTION

JAMES BLAIR 2410611814  
11-11 HAZEN ST  
BRONX, NY 11370

Your claim has been disallowed. You failed to provide one of the following items: the date, location and description of the alleged accident and the manner in which the claim arose, as required by General Municipal Law Section 50-e.

If you wish to pursue your claim you must start an action within one year and ninety days from the date of occurrence.

If you have been scheduled for a Comptroller's hearing pursuant to General Municipal Law, Section 50-h) you should deem the hearing canceled.

Bureau of Law & Adjustment

By: Vana Baptista

PERSONAL INJURY  
(212) 669-4445

# CIA trashed terror grilling tapes

BY LEO STANDORA  
DAILY NEWS STAFF WRITER

THE CIA VIDEOTAPED interrogations of two top terror suspects that used techniques denounced as torture and then destroyed the tapes so they couldn't be leaked to the public, it was revealed yesterday.

CIA Director Michael Hayden said the videos were shot in 2002 and destroyed three years later after the Abu Ghraib prisoner-abuse scandal in Iraq surfaced.

## Vids showing harsh methods called 'security risk' if leaked

He said they were destroyed so the identities of the questioners would not be compromised.

The agency began taping interrogations as an internal check after President Bush authorized the use of harsh questioning methods.

Those methods included waterboarding, which simulates drowning, government officials said.

In a letter to his staff, Hayden wrote that the tapes were destroyed in "an absence of any legal or internal reason to keep them."

He said they "posed a serious security risk," and explained, "Were they ever to leak, they would permit identification of your CIA colleagues who had served in the program, exposing them and their families to retaliation from Al Qaeda and its sympathizers."

The CIA said it had taped only the interrogation of the first two terror suspects in its custody, one of whom was Abu Zubaydah, who talked about alleged 9/11 accomplice Ramzi Bin alshibh.

Zubaydah's information and the subsequent arrest of Bin alshibh led to the capture in 2003 of Khalid Shaikh Mohammed, the purported mastermind of the 9/11 attacks, officials said.

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DAILY NEWS  
nydailynews.com

Wednesday

# NYPD BIG IN ARREST QUOTA FIX

## Capt. allegedly caught ordering cops to meet monthly goals & fudge stats

AN NYPD captain was allegedly caught on tape ordering cops to meet arrest quotas and falsify crime reports, the Daily News has learned.

Kieran Creighton, commander of the NYPD Housing Police Service Area 8 in the northern Bronx, is under investigation for a tirade that went out over the police radio, sources said.

The incident allegedly occurred in the spring when Creighton ordered at least eight members of an undercover anti-crime team to a meeting in Pelham Bay Park to berate them about an alleged lack of arrests, sources said.

"You can't make the nine collars a month, then we'll all have to go our separate ways," Creighton told the officers, according to an internal complaint obtained by The News.

Anything less than nine arrests would be a "personal slap in the face," Creighton allegedly said.

Creighton then told the cops to "finagle" the times of arrests so any overtime was paid for by a federally funded anti-drug program, the complaint alleges.

Unbeknownst to Creighton, one officer had his NYPD radio switched on — so the captain's 10 to 12 minute speech was broadcast to Bronx precincts in Morrisania and Schuylerville and taped by a 911 dispatcher.

"Your entire conversation with the C.O. [commanding officer] just got broadcast over the radio," came a frantic call from the PSA desk officer to one of the cops attending the May 15, 2007, meeting in the park, according to the complaint.

One officer summoned to the park filed a complaint with the NYPD's Internal Affairs Bureau

### EXCLUSIVE

BY ALISON GENDAR  
DAILY NEWS POLICE BUREAU CHIEF

on Sept. 12, sources said. On Monday five of the officers at the meeting were debriefed by IAB about the incident.

"All you have to do is go to the tape and see what was said. Very simple," a police source said. "But so far, the brass doesn't want to touch up the tape."

A high-ranking source confirmed that the complaints were being investigated but countered that the tape contained nothing damning. The source also said underlings routinely complain that higher-ups are pushing quotas and juggling crime statistics even when neither claim accurate.

The allegations stemming from the meeting were among a laundry list of complaints filed against Creighton by his subordinates. At least one sergeant complained that Creighton was trying to suppress the number of felony crimes reported by having supervisors reinterview victims, the complaint alleges. The goal was to turn felony complaints into misdemeanors, sources said.

Creighton repeatedly told subordinates that it was his "job to keep crime down."

"The captain would say, 'Are you sure the victim was really assaulted? Maybe the victim got cut with a fingernail, not a knife. Once is a joke. Over and over is a pattern,'" a police source said.

agendar@nydailynews.com

## Tawdry massages add

BY RICHARD WEIR  
DAILY NEWS STAFF WRITER

THE ALREADY bizarre Long Island slavery trial got weirder yesterday when the Indonesian maid allegedly held against her will testified she was ordered to massage her employers when they were in bed together.

"I was massaging her when the mister was on top of her. The room was all dark. I couldn't see," the maid, who goes by the single Indonesian name Samirah, testified.

She said she massaged her mistress, Varsha Sabhnani, 45, after she underwent gastric bypass surgery. Her husband, Mahender

Sabhnani, 51, was arrested in 2005. "He would crawl while you were massaging him," federal court in Central New Jersey said.

"Yes," answered at least once, Mahender and told her to massage his legs. She moved to other parts of his body, including his buttocks and thighs.

Samirah has also been beaten, starved, and sexually abused in tawdry ways by the allegedly enslaved

PRO SE OFFICE  
**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**  
DANIEL PATRICK MOYNIHAN UNITED STATES COURTHOUSE  
500 PEARL STREET, ROOM 230  
NEW YORK, NEW YORK 10007

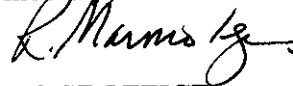
J. MICHAEL McMAHON  
CLERK OF COURT

Date: February 6, 2008

The enclosed papers are being returned to you for one or more of the following reasons checked below.

- ☐ Papers cannot be filed without an original signature. A xerox copy of your signature or documents without a signature are not acceptable.
- ☒ These papers appear to be intended for another court or agency.
- ☐ Papers cannot be filed without proof that they have been served on your opponent(s) or their attorney(s). This office **will not** forward copies of your papers to your defendants or their counsel. Please note that a "cc" on the bottom of your papers is not sufficient proof of service. You may use your own form or the one enclosed. Please indicate the document(s) you served on your affirmation of service.
- ☐ Your complaint or petition is undergoing judicial review. Once a docket number and judge is assigned you will be notified by mail. No further papers can be accepted for filing until your case has received a docket number and a judge.
- ☐ You did not include your filing fee or *In Forma Pauperis* Application or the filing fee of \$\_\_\_\_\_ (which must be paid in case, certified check or money order made payable to the Clerk of the Court, U.S.D.C.-S.D.N.Y.). **Personal checks are not accepted.**
- ☐ Each plaintiff must sign the complaint and each plaintiff must submit a separate *In Forma Pauperis* application, to have the filing fee waived.
- ☐ Your application to waive the fees does not contain enough information for the Court to consider your request. Please fill out the enclosed *In Forma Pauperis* application. If you are presently incarcerated, be especially careful to answer question number two (2) on the form. If you have never worked you must state this as your answer to this question.
- ☒ **Other:** See enclosed docket sheet for the District Court for the Eastern District of NY.

Sincerely,



PRO SE OFFICE  
(212) 805-0175